

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF,
KANCHEEPURAM.

PRESENT: Tmt.Fanny Rajan, B.A.,B.L.,(Hon's),
Principal District Munsif, Kancheepuram.

On Monday, this the 23rd day of March 2026

E.P. No.109 of 2025

in

ACP. No.1093/2023

CNR No. TNKP08-000416-2025

M/s. Shriram Finance Limited, Formerly known as
M/s.Shriram City Union Finance Latter merged with
M/s.Shriram Transport Finance Co. Ltd. Presently changed its name to
M/s.Shriram Finance Limited

Represented by its Authorized Signatory

G. Elayaraj, S/o. Gnanasekaran, age 37 years

having office at Sri Towers, Plot No.14 A, South phase Industrial Estate, Guindy
6000032 And having branch office at Kanchipuram II ...Decree holder

/Versus/

Mr. Dhanasekaran, S/o. Vajiravel, age 44

No. 52, Subaramaniyar kovil street, Iangarkulam, Pallavan Nagar,

Kanchipuram- 631501 ... Judgment Debtor

This petition is coming on this day for final hearing before me on 11.03.2026
in the presence of M/s. M.Mohanarangam Counsel for the Petitioner/Decree Holder
and Judgment debtor was set exparte on 11.02.2026 upon perusal of the records,
having stood over for consideration till this day, this Court delivers the following:

ORDER

1. This petition has been filed by the Petitioner/Decree holder seeking for attachment and sale the property scheduled hereunder to realize the decree amount Rs.42,938.00/- with future interest under order 21 Rule 43 and 64 & 66 of CPC and render justice.
2. **CASE OF THE DECREE HOLDER**: The Decree holder is a Limited company and the Judgment debtor availed loan with interest and loan agreement was executed. Only part amount has been paid and the balance was defaulted by the Judgment Debtor despite several demands. In view of the default committed by the judgment debtor in payment of due amount, the petitioner initiated proceedings before the Arbitrator and an award dated 30.06.2023 was passed against the judgment debtor. In view of the failure of judgment debtor to pay the award amount, the decree holder has come up with this petition.
3. On perusal of records, it is found that notice to the Judgment debtor has been served, though he appeared, he failed to file the counter. Hence, he was called absent set exparte on 11.02.2026.
4. **POINT FOR DETERMINATION**: Whether the Decree Holder is entitled for attachment and sale of movables properties belonging to Judgment debtor?

5. No one is examined and no documents were exhibited on either side. The learned counsel for the Decree Holder heard and records perused.
6. **Discussion and Findings:** This court finds that the Decree Holder is having a valid award in its favour for a sum of Rs.28,417/- with interest at 18% from the date of institution of the petition before the Sole Arbitrator and cost Rs.1250/-. Thereby, a sum of Rs.42,938/- has accrued which resulted in filing of this petition. This court finds the Decree Holder is seeking to attach and sale of the movable property of the Judgment Debtor found in the schedule to the petition. This court finds that movable properties of the Judgment debtor has been valued as Rs.42,938/-.
7. Further, the Judgment Debtor has failed to turn up before this Court and to state whether he has preferred any Appeal or Revision against the Award passed in ACP.No. 1093/2023 dated 30.06.2023. Therefore, this Court is under the reasonable presumption **under Section 119 of the Bharathiya Sakshya Adhiniyam** that no Appeal or Revision is preferred by the judgment debtor. This court is of the considered view that in order to reap the benefits of decree by the decree holder and in the interest of justice, this Court is inclined to allow this execution petition. Thereby, the point for determination is answered in favour of the decree holder.

8. Result: In the result, for the forgoing reasons, this Execution petition is hereby allowed. Attachment of movable of the Judgment debtor as per the annexure by 23.06.2026 on payment of batta within a week. Call on 23.06.2026.

Dictated to the steno typist partly, who directly typed the same in her Computer and partly typed by me, corrected and pronounced by me in open court, this the 23rd day of March 2026.

**PRINCIPAL DISTRICT MUNSIF
KANCHEEPURAM**

DECREE HOLDER SIDE WITNESSES & EXHIBITS:- Nil

JUDGMENT DEBTOR SIDE WITNESSES & EXHIBITS:- Nil

**PRINCIPAL DISTRICT MUNSIF
KANCHEEPURAM**